



COMMONWEALTH of VIRGINIA
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May 19, 2004

The Honorable Robert G. Burnley, Director
Virginia Department of Environmental Quality
629 East Main Street
Richmond, Virginia 23219

Re: Authority to Promulgate Regulations Governing the Transportation of Hazardous Materials,
Immediate Final Rule 2003, 9 VAC 20-110

Dear Director Burnley:

I have reviewed the above-referenced Regulation. It is my opinion that the Virginia Waste Management Board has the authority to promulgate the Regulation under applicable law, including Chapter 14 of Title 10.1 of the Code of Virginia.

If I may be of any further assistance to you relating to this matter, please do not hesitate to contact me.

Sincerely,

Cathie F. Hutchins
Assistant Attorney General
Environmental Unit